

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 61893

Quail Ridge Apartments LLC
P. O. Box 58460
Philadelphia PA 19102

0 Lincoln Woods Way

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on June 10, 2009, for a Hearing on a citation for violations under the Baltimore County Zoning Regulations 9BCZR) section 450 illegal signs along county road on property zoned DR 5.5 known as 0 Lincoln Woods Way, 21128.

On May 28, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Adam Whitlock issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on May 6, 2009 for removal of illegal signs placed along roadway. This Citation was issued on May 28, 2009. Correction Notices for the same zoning violation were issued to Respondent on December 11, 2008, and March 4, 2009. Notes in the file show that Inspector Whitlock spoke with staff at the Leasing Center on March 5, 2009 and again on May 6, 2009 to advise the signs are illegal and must be removed.

B. Photographs in the file dated June 1, 2009 show temporary signs and advertising balloons placed in the grass along the public road. County zoning regulations and limitations on commercial signs are adopted in furtherance of public policy including policy adopted in the County Zoning Regulations: "Excessive signage unduly distracts drivers and pedestrians, thereby creating traffic and safety hazards, impairing the utility of the highway system, and reducing the effectiveness of signs and other devices necessary for directing and controlling traffic. Baltimore County's appearance is marred, property values and public investments are jeopardized, scenic routes are diminished, and revitalization and conservation efforts are impeded by excessive signage and incompatible signage." BCZR Section 450.1 (C), (D).

C. Reinspection June 8, immediately prior to this Hearing, found the violations corrected. However, Respondent has repeatedly disregarded County notices and warnings and has repeated the violations by placing illegal advertising signs along County roads. A small civil penalty will therefore be imposed, and any continued repeat violations will be subject to immediate Citation without prior Correction Notice, pursuant to departmental policy.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$100.00 (one hundred dollars).

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty shall be imposed and placed as a lien upon the property.

ORDERED this 22nd day of June 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer